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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,592	03/15/2004	Georg Bschorer	03P02782	8264
24252	7590	10/07/2005	EXAMINER	
OSRAM SYLVANIA INC 100 ENDICOTT STREET DANVERS, MA 01923			RAABE, CHRISTOPHER M	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 10/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/799,592	<b>Applicant(s)</b> BSCHORER, GEORG	
	<b>Examiner</b> Christopher M. Raabe	<b>Art Unit</b> 2879	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/7/04</u> . | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

1. Amendment filed March 15, 2004 has been entered and acknowledged by the examiner.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4,8,9,11-15,17-20 rejected under 35 U.S.C. 102(b) as being anticipated by Berlinghof et al. (US Pre-grant Publication).

With regard to claim 1,

Berlinghof et al. disclose a dielectric barrier discharge lamp, having a discharge vessel which is filled with a discharge medium (paragraphs 3,5), at least one inner electrode, which is arranged on the inner side of the discharge vessel (paragraph 3), a dielectric layer on at least one inner electrode, which layer separates the inner electrode or inner electrodes from the discharge medium (paragraph 3), at least one supply conductor, which is electrically conductively connected to the at least one inner electrode in a leadthrough region (paragraph 19), which leadthrough region is realized by a gastight pinch (paragraph 3).

With regard to claim 2,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the pinch completely surrounds the connection between the at least one inner electrode and the associated supply conductor (fig 3).

With regard to claim 3,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the at least one inner electrode is realized as a conductor track arranged on the inner side of the wall of the discharge vessel (paragraph 29).

With regard to claim 4,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the dielectric layer arranged on at least one inner electrode extends at least as far as the start of the pinch, and preferably partway into the pinch (fig 3).

With regard to claim 8,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the discharge vessel is tubular and the at least one inner electrode is linear, and in which the at least one inner electrode is oriented parallel to the longitudinal axis of the discharge vessel (figs 2a,b).

With regard to claim 9,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the inner electrodes are two in number, and in which these two inner electrodes are arranged diametrically (fig 2b).

With regard to claim 11,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the pinch additionally includes an exhaust tube (9 of fig 2a).

With regard to claim 12,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the wall of the discharge vessel is at least partially provided with phosphor (paragraph 5).

With regard to claim 13,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the discharge medium comprises xenon (paragraph 5).

With regard to claim 14,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the at least one inner electrode is realized as a conductor track arranged on the inner side of the wall of the discharge vessel (paragraph 29).

With regard to claim 15,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the dielectric layer arranged on at least one inner electrode extends at least as far as the start of the pinch, and preferably partway into the pinch (fig 3).

With regard to claim 17,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the discharge vessel is tubular and the at least one inner electrode is linear, and in which the at least one inner electrode is oriented parallel to the longitudinal axis of the discharge vessel (figs 2a,b).

With regard to claim 18,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the pinch additionally includes an exhaust tube (9 of fig 2a).

With regard to claim 19,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the wall of the discharge vessel is at least partially provided with phosphor (paragraph 5).

With regard to claim 20,

Berlinghof et al. disclose the dielectric barrier discharge lamp, in which the discharge medium comprises xenon (paragraph 5).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-7, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berlinghof et al. as applied to claims 1, 2 above, and further in view of Goto (US Patent 3543361).

With regard to claim 5,

Berlinghof et al. disclose the dielectric barrier discharge lamp.

Berlinghof et al. do not disclose the at least one supply conductor being realized by an electrically conductive wire.

Goto does disclose at least one supply conductor being realized by an electrically conductive wire (column 9, lines 5-10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the use of an electrically conductive wire, disclosed by Goto into the lamp of Berlinghof et al. in order to provide in inexpensive, readily available means to supply electricity to the lamp.

With regard to claim 6,

Berlinghof et al. disclose the dielectric barrier discharge lamp.

Berlinghof et al. do not disclose the wire being in the range between 0.3 mm and 1.5 mm, preferably in the range between 0.5 mm and 1.0 mm.

Goto does disclose the wire being in the range between 0.3 mm and 1.5 mm, preferably in the range between 0.5 mm and 1.0 mm (column 9, lines 5-10).

Utilizing the reasoning in the rejection of claim 5, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the use of an electrically conductive wire, disclosed by Goto into the lamp of Berlinghof et al.

With regard to claim 7,

Berlinghof et al. disclose the dielectric barrier discharge lamp.

Berlinghof et al. do not disclose the wire.

Goto does disclose the wire comprising an iron-nickel alloy (column 9, lines 5-10).

Utilizing the reasoning in the rejection of claim 5, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the use of an electrically conductive wire, disclosed by Goto into the lamp of Berlinghof et al.

With regard to claim 16,

Berlinghof et al. disclose the dielectric barrier discharge lamp.

Berlinghof et al. do not disclose the at least one supply conductor being realized by an electrically conductive wire.

Goto does disclose at least one supply conductor being realized by an electrically conductive wire (column 9, lines 5-10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the use of an electrically conductive wire, disclosed by Goto into the lamp of Berlinghof et al. in order to provide in inexpensive, readily available means to supply electricity to the lamp.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berlinghof et al. as applied to claim 9 above, and further in view of Nieda et al. (US Patent 4366409).

With regard to claim 10,

Berlinghof et al. disclose the dielectric barrier discharge lamp.

Berlinghof et al. do not disclose the plane of the pinch lying in the common plane of the two inner electrodes.

Nieda et al. do disclose the plane of the pinch lying in the common plane of two inner electrodes (figs 1a,b).



***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patents 6411037, 3673454, 4550269, US Pre-grant Publication 2003/0111960.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Raabe whose telephone number is 571-272-8434. The examiner can normally be reached on m-f 7am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CR

  
**ASHOK PATEL**  
PRIMARY EXAMINER